

ORIGINAL

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

BNSF RAILWAY COMPANY and the STATE OF )  
ILLINOIS, DEPARTMENT OF TRANSPORTATION, )

Stipulated Agreement regarding improving public )  
safety by renewal of the existing crossbuck signs )  
and installation of YIELD signs at one hundred )  
eighty-seven (187) public highway-railroad grade )  
crossings of the BNSF Railway Company's tracks )  
in Illinois.

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Illinois Commerce Commission  
RAIL SAFETY SECTION

PETITION FOR SUPPLEMENTAL ORDER EXTENDING TIME

Now comes supplemental petitioner, BNSF Railway Company ("BNSF"), by its attorneys, Kenneth J. Wysoglad & Associates and petitions the Illinois Commerce Commission for a supplemental order granting BNSF additional time to complete all of the work required to be performed by BNSF under the terms of the August 17, 2005 order entered by the Illinois Commerce Commission in the above entitled cause. In support whereof, BNSF states as follows:

1. Pursuant to Stipulated agreement, on August 17, 2005 the Illinois Commerce Commission entered its order directing BNSF to renew the existing crossbuck signs in accordance with the manual on uniform traffic control devices and install YIELD signs mounted on the crossbuck sign posts at one hundred eighty seven (187) public highway - rail grade crossings at various locations on the BNSF system throughout the State of Illinois.
2. Under the terms of the aforesaid order, BNSF was to complete all of the required work on or before August 17, 2006.
3. BNSF timely ordered all of the equipment and materials necessary to perform the work as set forth in the August 17, 2005 order and stipulated

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agreement and thereafter proceeded to diligently commence the required work.

4. Due to delays in receiving the necessary materials from its vendors, BNSF was unable to complete the crossbuck renewal and YIELD sign installations, all of the subject crossings by the August 17, 2006 date.
5. To date, of the 187 public highway-rail grade crossing locations, there remains less than 40 locations where the work has not been completed.
6. BNSF reasonably believes that it can complete all of the work required by the terms of the August 17, 2005 order by January 30, 2007.
7. BNSF's supplemental petition herein is not made for purposes of delay, but rather to permit BNSF sufficient time to complete all of the work required to be performed by it under the terms of the August 17, 2005 order.

Wherefore, supplemental petitioner, BNSF Railway Company prays that the Illinois Commerce Commission enter a supplemental order, without the necessity of a hearing, granting BNSF an extension of time to and including January 30, 2007 in which to complete all of the work required to be performed by BNSF under the terms of the August 17, 2005 order entered by the Illinois Commerce Commission in the above entitled cause.

BNSF RAILWAY COMPANY



CRAIG RASMUSSEN, Manager, Public Projects

A handwritten signature in black ink, appearing to read 'M L Sazdanoff', with a stylized, cursive script.

Michael L. Sazdanoff  
Kenneth J. Wysoglad & Associates  
118 S. Clinton Street, Suite 700  
Chicago, IL 60661  
(312) 441-0333

STATE OF MINNESOTA )  
 ) SS  
COUNTY OF HENNEPIN )

**VERIFICATION**

Craig Rasmussen, being duly sworn on oath, states that he is Manager Public Projects for BNSF Railway Company, supplemental petitioner herein, that he is duly authorized by said Railroad Company to sign, verify and file the foregoing supplemental petition; that he has knowledge of the matters set forth in said supplemental petition and that the same are true and correct.

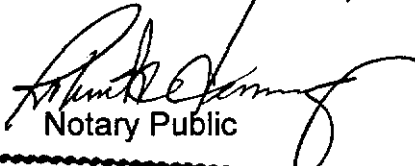
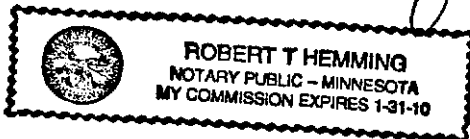
BNSF RAILWAY COMPANY



Craig Rasmussen

Subscribed and Sworn to before  
me this 20 day of

DECEMBER, 2006

  
Notary Public

## PROOF OF SERVICE

Michael L. Sazdanoff, being first duly sworn on oath, deposes and says that on the 21 day of DECEMBER, 2006, he caused to be served, a true and correct copy of **PETITION FOR SUPPLEMENTAL ORDER EXTENDING TIME** upon:

Mr. Victor A. Modeer  
Director of Highways  
Attn: Charles J. Ingersoll  
Engineer of Local Roads and Streets  
Illinois Department of Transportation  
2300 S. Dirksen Pkwy.  
Springfield, IL 62764

by depositing same in the U.S. Mail depository located at Chicago, Illinois in an envelope(s) with first-class postage, prepaid.

A handwritten signature in black ink, appearing to read 'MS', is written over a horizontal line.